

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 10/687,324 Confirmation No. 7328  
Applicant (s) : Robert Urscheler et al.  
Filed : October 16, 2003  
TC/A.U. : 1792  
Examiner : Katherine A. Bareford  
Title : METHOD OF PRODUCING A MULTILAYER COATED  
SUBSTRATE HAVING IMPROVED BARRIER PROPERTIES

Docket No. : 62733C  
Customer No. : 00109

Mail Stop Petition  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

PETITION UNDER 37 CFR 1.313(c)

This is a petition under 37 CFR 1.313(c) to withdraw the subject application from issue.

A request for continued examination and an information disclosure statement are enclosed.

Withdrawal of the application from issue is requested to allow consideration by the Office of additional references pursuant to the duty to disclose information under 37 CFR 1.56. On or about January 9, 2008, the undersigned became aware of the fact that the Japanese Patent Office issued an office action in the file of Japanese patent application number 2002-581,757. That application corresponds to US patent application serial number 10/257,172 (attorney docket number 61590A). On January 11, 2008, the undersigned submitted an information disclosure statement, which included a Japanese reference from the Japanese office action, to the file of the patent application having attorney docket number 61590A and to two other related US patent applications.

The subject application (attorney docket number 62733C) is a CIP of a CIP of the patent application having attorney docket number 61590A. Thus, the Japanese office action issued against an application that is related to the subject application.

By filing the present petition, Applicants seek to have the subject application withdrawn from issue in order to have the Japanese reference considered by the Office in the subject application.

For the foregoing reasons, granting of this petition is respectfully requested.

Petitioner believes that the Office intends to issue the patent based on the subject application on January 29, 2008. Therefore, Petitioner requests that the Office expedite handling of this petition.

Respectfully submitted,

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